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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/597,660

08/02/2006

Yoshinobu Watanabe

10873.1937USWO

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EXAMINER

NGUYEN, HIEN NGOC

ART UNIT

PAPER NUMBER

3768

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,660	<b>Applicant(s)</b> WATANABE ET AL.	
	<b>Examiner</b> HIEN NGUYEN	<b>Art Unit</b> 3768	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08/02/06.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 9-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/02/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Cameron et al. (JP 2002-282251 (the abstract is provided in the IDS)).

Regarding claims 1, 6 and 14 Cameron discloses a remote ultrasonic diagnostic system with subject-sides apparatus comprises:

- an ultrasonic wave transmission/reception portion for transmitting and receiving ultrasonic wave; (see [0002] lines 1-6).
- an image generation portion for generating ultrasonic image data from an ultrasonic signal; (see [0002] lines 1-6).
- a cine memory for sequentially storing the ultrasonic signal; (see [0003] lines 4-8).
- a display for displaying ultrasonic images from the cine memory; (see [0002] lines 12-14).
- a communication line interface for transmitting of image data frame; (see [0004] lines 1-9). The communication network discloses by Cameron is a communication line.

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Regarding claims 2, 7 and 15 Cameron discloses a remote ultrasonic diagnostic system with a examiner-side apparatus comprises:

- an image formation portion for generating ultrasonic image data from the receive data of the subject-side; (see [0026] lines 1-6 and 22-25). It is inherent that an image formation portion is in the system because the doctor able to view the receiving images or video images. The image processor is an image formation portion.
- a display for displaying ultrasonic images; (see [0026] lines 1-6).
- a communication line interface for receiving of image data frame; (see [0026] lines 1-14). The network connection discloses by Cameron is a communication line.

Regarding claims 3-5, 8 and 16 Cameron discloses a remote ultrasonic diagnostic system that has the subject side apparatus connected to the examiner-side apparatus via a communication line and the examiner-side apparatus comprises:

- an image formation portion for generating ultrasonic image data from the receive data of the subject-side; (see [0026] lines 1-6 and 22-25). It is inherent that an image formation portion is in the system because the doctor able to view the receiving images or video images. The image processor is an image formation portion.
- a display for displaying ultrasonic images; (see [0026] lines 1-6).

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- a communication line interface for requesting and receiving of image data frame; (see [0026] lines 1-14). The network connection discloses by Cameron is a communication line.
- a cine memory for sequentially storing the ultrasonic image data; (see [0027], lines 8-11 and abstract).

subject-side apparatus comprises:

- an ultrasonic wave transmission/reception portion for transmitting and receiving ultrasonic wave; (see [0002] lines 1-6).
- an image generation portion for generating ultrasonic image data from an ultrasonic signal; (see [0002] lines 1-6).
- a cine memory for sequentially storing the ultrasonic signal; (see [0003] lines 4-8).
- a communication line interface for transmitting of image data frame; (see [0004] lines 1-9). The communication network discloses by Cameron is a communication line.
- a display for displaying ultrasonic images from the cine memory; (see [0002] lines 12-14).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,565,510; US 2003/0083563; US 2004/0153862; US 2003/0195424.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to HIEN NGUYEN whose telephone number is (571)270-7031. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on (571)272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. N./  
Examiner, Art Unit 3768

/Long V Le/  
Supervisory Patent Examiner, Art Unit 3768